

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

RUTH SMITH, Individually and as Widow for the)	
Use and Benefit of Herself and the Next Kin of)	
Richard Smith, Deceased,)	
)	
Plaintiff,)	Civil No. 3:05-0444
)	Judge Aleta A. Trauger
v.)	(Dist. Of MA No.
)	1:05-cv-11515PBS)
PFIZER, INC., <i>et al.</i> ,)	
)	
Defendants.)	

DEFENDANTS' EMERGENCY MOTION FOR CONTINUANCE OF TRIAL

Defendants, Pfizer Inc and Warner-Lambert Company LLC (collectively, "Defendants" or "Pfizer"), respectfully submit this emergency motion for a brief continuance of trial. In this case, the jury trial is set to begin on May 11, 2010. Due to complications related to the recent weather event in Nashville and the surrounding area, the Defendants' ability to prepare for trial has been hindered. Specifically, the offices of Defendants' lead trial counsel, who are located in downtown Nashville, have lost electricity, and at the earliest, power will not be restored until Friday May 7, 2010 or very possibly not until even later into the weekend. The entire office building in which lead defense counsel operates, and which also is the location of the trial office space obtained by the entire defense trial team, has been shut down today with no access allowed until power is restored. In addition to being barred from these offices, trial counsel will have no access to their work computers, computer servers, work e-mail, or office telephones either at the office or remotely from home. Without such access, it will be difficult for trial counsel to meet the deadlines set by the Court and prepare in the final, critical week before trial. Thus, Defendants request that the start date for trial be moved forward approximately two weeks from May 11 to May 24, 2010. The grounds for this motion are set forth in more detail in the accompanying memorandum.

WHEREFORE, Defendants respectfully request that the Court grant a two week continuance for trial.

Dated: May 4, 2010

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on this the 4th day of May 2010, I electronically filed the foregoing document with the Clerk of the Court, United States District Court for the Middle District of Tennessee, using the CM/ECF system. True and correct copies of the foregoing documents are being served via the Court's CM/ECF system on the following:

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